

#4

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,863	11/01/2001	Eric H. Holmes	20093A-002220US

CONFIRMATION NO. 3956

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

## FORMALITIES LETTER



\*OC000000007464296\*

Date Mailed: 02/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

---

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

1

Application Number

10/040,863

Filing Date

November 1, 2001

First Named Inventor

Eric H. Holmes

Group Art Unit

1653

Examiner Name

Not Assigned Yet

Attorney Docket Number

20093A-002220US

### ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☒ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)  
(please identify below):

Return Postcard; Copy of Declaration and  
Power of Attorney; Copy of Previously  
Submitted Postcard

Remarks

The Commissioner is authorized to charge any additional fees to  
Deposit Account 20-1430.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
and  
Individual name

Townsend and Townsend and Crew LLP

Brian W. Poor

Reg. No. 32,928

Signature

*Brian W. Poor*

Date

March 15, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

March 15, 2002

Typed or printed name

Wendy Walton

Signature

*Wendy Walton*

Date

March 15, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SE 5012113 v1



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents Attn: Box Missing Parts Washington, D.C. 20231 On March 15, 2002 By: Edmund Wain

PATENT  
Attorney Docket No.: 20093A-002220US

**COPY OF PAPERS  
ORIGINALLY FILED**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Eric H. Holmes *et al.*

Application No.: 10/040,863

Filed: November 1, 2001

For: NUCLEIC ACIDS AND PROTEINS  
OF A RAT GANGLIOSIDE GM1-  
SPECIFIC ALPHA 1-2  
FUCOSYLTRANSFERASE AND USES  
THEREOF

Examiner: Not Assigned Yet

Art Unit: 1653

**RESPONSE TO NOTICE OF MISSING  
PARTS**

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Non-provisional Application, dated February 12, 2002, enclosed please find a copy of the postcard previously submitted to the Patent and Trademark Office indicating that a copy of the Declaration and Power of Attorney was submitted and acknowledged as received by the Office. The above application is a divisional application of 09/298,886, filed April 23, 1999. As such a newly executed Oath and/or Declaration is not required and a copy filed in the prior application is all that is necessary. 37 C.F.R. 1.63(d)(1). We have enclosed another copy of the Declaration for your convenience.

Applicant believes that no fee is required at this time. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit



Eric H. Holmes *et al.*  
Application No.: 10/040,863  
Page 2

PATENT

Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

If you have any questions or comments, please do not hesitate to contact the undersigned at the number listed below. Thank you for your assistance in this matter.

Respectfully submitted,

Brian W. Poor  
Reg. No. 32,928

Dated: 15 March 2002

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 206-467-9600  
Fax: 415 576-0300  
BWP:waw

SE 5012111 v1